

IFW 1685

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT**  
(Under 37 CFR 1.97(b) or 1.97(c))

Docket No.  
18259

In Re Application of **Hiroki Hibino et al.**

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/509,447	September 28, 2004	Unassigned	23389	1645	7448

Title: **CELL CULTURING SYSTEM, CULTURED CELL COLLATING DEVICE AND CELL CULTURING DEVICE**

Address to:  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**37 CFR 1.97(b)**

1. ☒ The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.

**37 CFR 1.97(c)**

2. ☐ The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:
- ☐ the statement specified in 37 CFR 1.97(e);
- OR**
- ☐ the fee set forth in 37 CFR 1.17(p).

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**Payment of Fee**

(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))

- ☐ A check in the amount of \_\_\_\_\_ is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. 19-1013/SSMP as described below.
- ☐ Charge the amount of \_\_\_\_\_
- ☒ Credit any overpayment.
- ☒ Charge any additional fee required.
- ☐ Payment by credit card. Form PTO-2038 is attached.

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

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**Certificate of Mailing by First Class Mail**

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August 2, 2006

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Signature of Person Mailing Correspondence

Thomas Spinelli

\_\_\_\_\_  
Typed or Printed Name of Person Mailing Certificate

**\*This certificate may only be used if paying by deposit account.**

Dated: August 2, 2006

\_\_\_\_\_  
Signature

Thomas Spinelli  
Reg. No. 39,533  
SCULLY, SCOTT, MURPHY & PRESSER, P.C.  
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cc:



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Applicants:** Hiroki Hibino et al.

**Examiner:** Unassigned

**Serial No.:** 10/509,447

**Art Unit:** 1645

**Filed:** September 28, 2004

**Docket:** 18259

**For:** CELL CULTURING SYSTEM, CULTURED  
CELL COLLATING DEVICE  
AND CELL CULTURING DEVICE

**Dated:** August 2, 2006

**Confirm. No.:** 7448

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Sir:

In accordance with 37 C.F.R. §§1.97 and 1.98, it is requested that the following references, which are also listed on the attached Form PTO-1449, be made of record in the above-identified case.

1. International PCT Patent Publication No. WO 99/12475, dated March 18, 1999; and
2. International PCT Patent Publication No. WO 97/19754, dated June 5, 1997.

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**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on August 2, 2006.

Dated: August 2, 2006

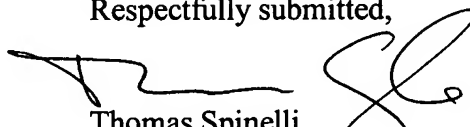
  
Thomas Spinelli

The references were cited in a Search Report dated May 17, 2006 received from the European Patent Office. Applicants are submitting copies of the above-cited references, together with a copy of the Search Report. The relevance of the above-identified references has been described in the Search Report.

Further, the undersigned hereby states that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

Inasmuch as this Information Disclosure Statement is also being submitted in accordance with the schedule set out in 37 C.F.R. § 1.704(d), a statement is attached. Also enclosed herewith is a date-of-receipt stamped letter to establish the date on which the European Search Report was received.

Respectfully submitted,



Thomas Spinelli  
Registration No. 39,533

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Applicants:** Hiroki Hibino et al.

**Examiner:** Unassigned

**Serial No.:** 10/509,447

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**STATEMENT PURSUANT TO 37 C.F.R. § 1.704(d)**

Sir:

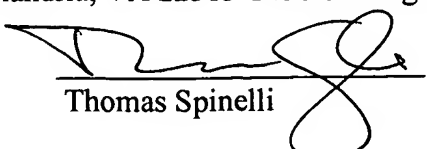
I hereby state that each item of information contained in the Information Disclosure Statement submitted herewith was cited in a communication from a foreign patent office in a counterpart application and that this communication was not received by any individual designated in § 1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement.

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**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on August 2, 2006.

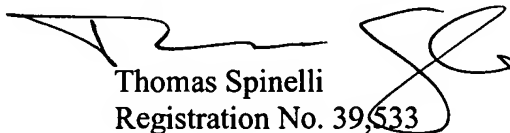
Dated: August 2, 2006

  
Thomas Spinelli



Therefore, this Information Disclosure Statement cannot be considered a failure to engage in reasonable efforts to conclude prosecution of the application under paragraphs (c)(6), (c) (8), (c) (9), or (c) (10) of 37 C.F.R. § 1.704.

Respectfully submitted,



Thomas Spinelli  
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<div>Information Disclosure Citation</div> <div>Use several sheets if necessary</div> <div>Aug 04 2006</div>				Docket Number (Optional) 18259		Application Number 10/509,447		
				Applicant(s) Hiroki Hibino et al.				
				Filing Date September 28, 2004		Group Art Unit 1645		
U.S. PATENT DOCUMENTS								
*EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE	
FOREIGN PATENT DOCUMENTS								
	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
		WO 99/12475	3/18/1999	PCT			YES	NO
		WO 97/19754	6/5/1997	PCT				
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)								
EXAMINER				DATE CONSIDERED				
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.								